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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/499,819	02/08/2000	Sivaramakrishna Kuditipudi	FORE-57	1785

7590 02/23/2005  
 Ansel M Schwartz  
 One Sterling Plaza  
 Suite 304  
 201 N Craig Street  
 Pittsburgh, PA 15213

EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/499,819

Applicant(s)

KUDITIPUDI ET AL.

Examiner

Douglas B Blair

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4,5,10-14,17-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) 1,4,5 and 10-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14,17-23 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 1, 4-5, and 10-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or Chiuking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 8/20/2004.
2. Applicant's election with traverse of claims 14, 17-23, and 25 in the reply filed on 8/20/2004 is acknowledged. The traversal is on the ground(s) that a patentable review of Invention II will reveal the patentability of claims of Invention I and that claim 1 has the limitation of configuration information found in claims 14 and 23. This is not found persuasive because Invention I deals exclusively with the operations within a single switch whereas Invention II deals with the interactions between multiple switches.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 14, 17-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable U.S. Patent Number 6,597,689 to Chiu et al. in view of the Fore-Switch-MIB Definitions paper.

Art Unit: 2142

5. As to claim 14, Chiu teaches a telecommunications system comprising: S switches, where S is an integer greater than or equal to 2, each switch having topology database with all configuration information of the S switches, any one switch providing all the configuration information for all of the S switches, wherein the switches send configuration information to each other, and the switches send and return queries to each other (col. 61, lines 4-62); however, Chiu does not explicitly teach configuration including an IP address, a switch name, a software version, and a hardware type or the use of an SNMP query.

The Fore-Switch-MIB Definitions paper teaches configuration information including the name of the switch, a software version, and a hardware type (See MIB Groups).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Chiu regarding the topology discovery with the teachings of the Fore-Switch-MIB Definitions paper regarding specific configuration information with in the management information base because the teachings of Chiu mention the use of MIB modules such as the Fore-Switch MIB module.

6. As to claim 17, Chiu teaches a system wherein the switches attach a systems information group to a nodal information group to propagate the configuration information to the other switches in response to tan SNMP query (col. 61, lines 4-62).

7. As to claim 18, Chiu teaches a system wherein switches have one or more logical nodes (col. 61, lines 4-62).

8. As to claim 19, Chiu teaches a system wherein the nodes form a first PNNI group (col. 61, lines 4-62).

Art Unit: 2142

9. As to claim 20, Chiu teaches a system including a plurality of PNNI groups (col. 61, lines 4-62).

10. As to claim 21, Chiu teaches a system wherein any node of the first PNNI group can provide all the configuration information for the first PNNI peer group (col. 61, lines 4-62).

11. As to claim 22, Chiu teaches a method for operating a telecommunications network comprising the steps of: placing configuration information of a first switch of the network into a topology database of the first switch, the configuration information; sending an SNMP query from the second switch to the first switch for configuration information in the topology database of the first switch; and propagating the configuration information of the first switch to a second switch of the network (col. 61, lines 4-62); however, Chiu does not explicitly teach configuration including the IP address, the name of the switch, a software version, and a hardware type.

The Fore-Switch-MIB Definitions paper teaches configuration information including the name of the switch, a software version, and a hardware type (See MIB Groups).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Chiu regarding the topology discovery with the teachings of the Fore-Switch-MIB Definitions paper regarding specific configuration information with in the management information base because the teachings of Chiu mention the use of MIB modules such as the Fore-Switch MIB module.

12. As to claim 23, Chiu teaches a method wherein the first and second switches are in a PNNI peer group, and after the propagating step, there is the step of retrieving configuration information for all the switches in the PNNI peer group from the first switch (col. 61, lines 4-62).

Art Unit: 2142

13. As to claim 25, Chiu teaches a method wherein a propagating step includes the steps of attaching a system information group having the configuration information from the topology database of a first switch requested by a query to a nodal information group (col. 61, lines 4-62); and propagating the system information group attached to the nodal information group to the second switch (col. 61, lines 4-62).

***Response to Arguments***

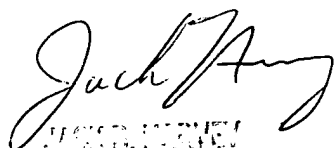
14. Applicant's arguments with respect to claims 1, 4-5, 10-14, 17-23 and 25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached at 703-305-9705. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

  
JACK HARVEY  
SUPERVISOR, EXAMINER

Application/Control Number: 09/499,819

Page 6

Art Unit: 2142

Douglas Blair

February 21, 2005

DBB